

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CHRISTOPHER M. PAYNE,	)	
	)	
Plaintiff,	)	4:11CV3017
	)	
v.	)	
	)	
FRED BRITTEN, et al.,	)	<b>ORDER</b>
	)	
Defendants.	)	
_____	)	

On November 18, 2015, and upon Plaintiff's filing of a Notice of Appeal (Filing [152](#)) and Motion for Leave to Proceed in Forma Pauperis on Appeal (Filing [153](#)), I advised Plaintiff that the filing a notice of appeal means he will be consenting to the deduction of a \$505.00 appellate filing fee from his prison account by prison officials. (Filing [155](#).) I further advised Plaintiff that if he wishes to withdraw his Notice of Appeal (Filing [152](#)) and Motion for Leave to Proceed in Forma Pauperis on Appeal (Filing [153](#)), Plaintiff shall inform the court of such withdrawal within 10 days of the date of that order.

Plaintiff has filed a Motion for Extension (Filing [157](#)) of time within which to file his notice of withdrawal, stating that he is negotiating with Defendants regarding a settlement to withdraw Plaintiff's appeal. I shall grant Plaintiff's motion.

IT IS ORDERED:

1. Plaintiff's Motion for Extension (Filing [157](#)) is granted;
2. If Plaintiff wishes to withdraw his Notice of Appeal (Filing [152](#)) and Motion for Leave to Proceed in Forma Pauperis on Appeal (Filing [153](#)), Plaintiff shall

inform the court of such withdrawal on or before January 4, 2016, in the absence of which Plaintiff's appeal shall be processed.

DATED this 2<sup>nd</sup> day of December, 2015.

BY THE COURT:

*Richard G. Kopf*

Senior United States District Judge

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